

MONDAY, FEBRUARY 28, 1994

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Ray Luck, Mt. Lebanon Baptist Church, Maryville, Tennessee.

Representative Owenby led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Haltzman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

**MESSAGE FROM THE SENATE
February 25, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 335; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED
February 25, 1994**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 335.

ENROLLED BILLS
February 28, 1994

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1949 and 1976; House Joint Resolution(s) No(s). 445, 446, 447, 464 and 467; also, House Resolution(s) No(s). 135.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
February 28, 1994

The Speaker signed the following: House Bill(s) No(s). 1949 and 1976; House Joint Resolution(s) No(s). 445, 446, 447, 464 and 467; also, House Resolution(s) No(s). 135.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 0471** -- Naming and Designating -- "A Day of Prayer in Tennessee," May 10, 1994. by *Stamps, *Wood, *McAfee, *Halteman Harwell.

State and Local Government Committee.

***House Joint Resolution No. 0472** -- Highway Signs -- "Dave Harrell Memorial Bridge," S.R. 143, Carter County. by *Cole Ralph.

Transportation Committee.

***House Joint Resolution No. 0474** -- General Assembly, Directed Studies -- Urges department of correction to study feasibility of prisoner rotation system. by *Haun.

State and Local Government Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, March 2, 1994:

House Resolution No. 0137 -- Memorials, Retirement -- Don Boley. by *Davis Ronnie.

House Joint Resolution No. 0476 -- Memorials, Public Service -- Employees of Livingston District Office of Upper Cumberland Electric

Membership Corporation. by *Windle.

House Joint Resolution No. 0477 -- Memorials, Personal Achievement -- Andrew Scott Buckner, Eagle Scout. by *Owenby.

House Joint Resolution No. 0478 -- Memorials, Death -- Charles W. Crow. by *Knight.

House Joint Resolution No. 0479 -- Memorials, Recognition and Thanks -- Carl Lynn Lehman. by *Ferguson.

House Joint Resolution No. 0480 -- Memorials, Retirement -- Roger C. Reeds, Randall House Publishing. by *Bragg.

House Joint Resolution No. 0481 -- Memorials, Personal Occasion -- Robert L. Darby, 101 years old. by *Herron.

House Joint Resolution No. 0482 -- Memorials, Sports -- Ernest Rasar, Administrator, TSSAA Hall of Fame. by *Cole Ralph, *Whitson.

House Joint Resolution No. 0483 -- Memorials, Sports -- D. M. Miller, Administrator, TSSAA Hall of Fame. by *Severance, *Boyer, *Tindell, *Armstrong, *Ritchie, *Peroulas Draper, *Bittle.

House Joint Resolution No. 0484 -- Memorials, Sports -- Billy J. Haney, contributor, TSSAA Hall of Fame. by *Phelan, *Pinion.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Wednesday, March 2, 1994:

Senate Joint Resolution No. 0317 -- Memorials, Professional Achievement -- William E. Trickett, Tennessee winner, 1994 Time Magazine Quality Dealer Award for 1994.

Senate Joint Resolution No. 0321 -- Memorials, Death -- James Leaks.

Senate Joint Resolution No. 0322 -- Naming and Designating -- "American Legion Week," March 13-19, 1994.

Senate Joint Resolution No. 0324 -- Memorials, Professional Achievement -- Richard R. Rooker, appointment as Circuit Court Clerk.

Senate Joint Resolution No. 0334 -- Memorials, Illness -- Senator T. Tommy Cutrer.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2859 -- Kingsport -- Revises publication requirements for penal ordinances to require only publication of caption and abstract of essential provision in newspaper of general circulation within city. Amends Chapter 76, Private Acts of 1917, as amended. by *Westmoreland, *Venable, *Ramsey.

House Bill No. 2860 -- Van Buren County -- Staggers terms of School Board. Amends Chapter 867, Private Acts of 1949. by *Rhinehart.

House Bill No. 2861 -- Milan -- Revises special school district provisions. Amends Chapter 504, Private Acts of 1945, as amended. by *Phelan.

House Bill No. 2862 -- Trenton -- Requires four members of city council from wards and two members at large beginning with September 1995 election. Amends Chapter 551, Acts of 1903, as amended. by *Phelan.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2864 and 2866, was/were referred to the Delayed Bills Committee.

House Bill No. 2864 -- Knox County -- Authorizes new locally funded positions for district attorney of 6th judicial district: five assistant district attorneys, two criminal investigators, two paralegals and two secretaries. by *Peroulas Draper, *Boyer, *Ritchie, *Tindell, *Bittle, *Armstrong, *Severance.

House Bill No. 2866 -- Juvenile Offenders -- Allows juvenile courts to transfer certain juvenile offenders, 14 years of age or younger, to criminal court to be tried and sentenced as adults. Amends TCA, Title 37, Ch. 1, Pt. 1. by *Purcell, *DeBerry, *Armstrong, *Chumney, *Williams K, *Givens, *Whitson, *Hargrove, *Ferguson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 1166 -- Drugs -- Designates 10 percent of proceeds county, metropolitan government or municipality is entitled to receive from drug fines and forfeitures to DARE program in such county, metropolitan government or municipality. Amends TCA, Title 39, Ch. 17, Pt. 4. (*HB 0427).

***Senate Bill No. 1782** -- Bonding, Surety and Professional -- Includes certain surety bonds as eligible collateral equal to 100 percent of value of state deposit secured by it. Amends TCA, Title 9, Ch. 4. (HB 1737).

***Senate Bill No. 1883** -- Sunset Laws -- Board for licensing health care facilities, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 11. (HB 1967).

***Senate Bill No. 1916** -- Sunset Laws -- Tennessee peace officer standards and training commission, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 38, Ch. 8. (HB 1983).

***Senate Bill No. 1921** -- Sunset Laws -- Tennessee victims coalition, June 30, 1996. Amends Chapter 351, Public Acts of 1991, as amended. Amends TCA, Title 4, Chs. 4, 41. (HB 1978).

***Senate Bill No. 1926** -- Sunset Laws -- Savings institution collateral pool board, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 4. (HB 1940).

***Senate Bill No. 1974** -- District Attorneys -- Creates three additional assistant district attorney general positions, one additional criminal investigator position, and one additional victim witness coordinator position for 26th judicial district. Amends TCA 16-2-506. (HB 2246).

Senate Bill No. 2149 -- Mortgages -- Includes extension, renewal or amendment of open ended mortgages or mortgages securing future advances as obligatory advances made by creditors. Amends TCA, Title 47, Ch. 28. (*HB 1868).

***Senate Bill No. 2439** -- Sunset Laws -- Law Enforcement Training Academy, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 38, Ch. 8. (HB 2195).

***Senate Bill No. 2576** -- Public Records -- Makes filing and contents of complaint and summons commencing civil action confidential until summons returned to court as having been served upon defendant(s). Amends TCA, Title 10, Ch. 7, Pt. 5. (HB 2738).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2857 -- Montgomery County -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2858 -- Oneida -- Held on Clerk's desk pending approval by local delegation.

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2830 and 2834; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 2830 -- Brownsville -- Revises charter. Repeals Chapter 128, Private Acts of 1991, as amended. by *Wilder.

Senate Bill No. 2834 -- McKenzie -- Revises charter. Amends Chapter 128, Private Acts of 1990. by *McKnight.

CONSENT CALENDAR

***House Bill No. 2358** -- Highway Signs -- "T/Sgt. Lloyd Odell Hixson Memorial Highway," segment of new Corridor J Highway, Sequatchie County.

On motion, House Bill No. 2358 was made to conform with **Senate Bill No. 2535**; the Senate Bill was substituted for the House Bill.

House Bill No. 2238 -- County Officers -- Authorizes certain fee and tax collections by county clerk in Davidson County. Amends TCA, Titles 7, 18, 55, 57.

House Bill No. 2230 -- Davidson County -- Permits Davidson County to contract with secretary of state for use of administrative law judges. Amends TCA, Title 7, Ch. 7.

***House Bill No. 2337** -- Motor Vehicles, Titling and Registration -- Permits issuance of native American Indian cultural license plates. Amends TCA, Title 55, Ch. 4, Pt. 3.

House Bill No. 2178 -- Highway Signs -- "U.S. Post Office this exit," I-40, Parkers Crossroads.

***House Bill No. 2120** -- Motor Vehicles, Titling and Registration -- Permits display of license plates of year of manufacture in lieu of current license plates on certain antique motor vehicles under certain circumstances. Amends TCA, Title 55, Ch. 4.

House Bill No. 2564 -- Highway Signs -- "Veterans Memorial Parkway," U.S. Highway 64 Bypass, Pulaski.

On motion, House Bill No. 2564 was made to conform with **Senate Bill No. 2615**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1773** -- Motor Vehicles -- Allows for 10 percent margin of error in weight restrictions on recovered materials trucks; defines "recovered materials truck". Amends TCA 55-7-203.

House Bill No. 2122 -- Solid Waste Disposal -- Changes date from

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January 1, 1995 to January 1, 1996, to correct typographical error concerning time each county must have solid waste collection and disposal system. Amends TCA 68-211-851.

On motion, House Bill No. 2122 was made to conform with **Senate Bill No. 2384**; the Senate Bill was substituted for the House Bill.

House Bill No. 1713 -- Highway Signs -- "J.B. Howe Parkway," U.S. Highway 11-W Bypass, Rogersville.

On motion, House Bill No. 1713 was made to conform with **Senate Bill No. 1689**; the Senate Bill was substituted for the House Bill.

House Bill No. 1946 -- Sunset Laws -- Tri-County railroad authority, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 2.

House Bill No. 1979 -- Sunset Laws -- Tellico reservoir development, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

House Bill No. 1981 -- Sunset Laws -- Tombigbee waterway development authority, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 69, Ch. 9.

On motion, House Bill No. 1981 was made to conform with **Senate Bill No. 1918**; the Senate Bill was substituted for the House Bill.

House Bill No. 2191 -- Sunset Laws -- Rail service authorities, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 56.

House Bill No. 2852 -- McKenzie -- Revises charter. Amends Chapter 128, Private Acts of 1990.

On motion, House Bill No. 2852 was made to conform with **Senate Bill No. 2834**; the Senate Bill was substituted for the House Bill.

House Bill No. 2840 -- Morristown -- Revises various sections of civil service board provisions. Amends Chapter 103, Acts of 1903, as amended.

House Bill No. 2130 -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special plates for preservation of non-game and endangered wildlife species. Amends TCA, Title 55, Ch. 4.

House Bill No. 2083 -- Motor Vehicles, Titling and Registration -- Allows issuance of cultural license plates for two year as well as four year college or university within Tennessee. Amends TCA 55-4-301.

On motion, House Bill No. 2083 was made to conform with **Senate Bill No. 2074**; the Senate Bill was substituted for the House Bill.

House Bill No. 2514 -- Motor Vehicles, Titling and Registration

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-- Provides for new motorcycle registrations to be made on alpha cycle. Amends TCA, Title 55, Ch. 4.

House Bill No. 2843 -- Rutherford -- Enacts new charter. Repeals Chapter 346, Acts of 1899, as amended.

House Bill No. 2851 -- Brownsville -- Revises charter. Repeals Chapter 128, Private Acts of 1991, as amended.

On motion, House Bill No. 2851 was made to conform with **Senate Bill No. 2830**; the Senate Bill was substituted for the House Bill.

House Bill No. 2847 -- Montgomery County -- Establishes registration program for cats.

House Bill No. 2845 -- McKenzie -- Revises charter relative to elections and offices of mayor, councilmen and city judge. Amends Chapter 128, Private Acts of 1990.

House Resolution No. 0136 -- Memorials, Death -- Lyndell Bell.

House Joint Resolution No. 0473 -- Memorials, Recognition and Thanks -- Diana Singing, 25th Anniversary.

House Joint Resolution No. 0475 -- Memorials, Personal Occasion -- Wanda Mathis, fortieth birthday.

Senate Joint Resolution No. 0260 -- Naming and Designating -- Youth Service Day, April 19, 1994.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1979; by Rep. Gunnels.

House Bill No. 2178; by Rep. Hargrove.

House Bill No. 2230; by Rep. West.

House Bill No. 2840; by Rep. Johnson.

Under the rules, House Bills Nos. 1979, 2178, 2230 and 2840 was/were placed at the foot of the calendar for Wednesday, March 2, 1994.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	98
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Riggsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

Representatives present and not voting were: Liles -- 1.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1939 -- Sunset Laws -- South Central Tennessee railroad authority, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 2.

Rep. Kernell moved that House Bill No. 1939 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1939 by adding the following as a new section to precede the effective date section:

SECTION ____ Tennessee Code Annotated, Section 64-2-204(5)(A), is amended by deleting the third sentence in its entirety and by substituting instead the following:

The directors shall hold meetings at such times and places as the directors may determine;

On motion, Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 1939**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Representative(s) Pruitt was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 1950 -- Sunset Laws -- Interstate rail passenger advisory council, June 30, 2002. Amends TCA, Title 4, Chs. 29, 42.

Rep. Kernell moved that **House Bill No. 1950** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1986 -- Sunset Laws -- Tennessee auctioneer commission, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 19.

On motion, House Bill No. 1986 was made to conform with **Senate Bill No. 1912**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 1912** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 1987 -- Sunset Laws -- Terminates Northwest Tennessee railroad authority. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 2.

Rep. Kernell moved that **House Bill No. 1987** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer,

Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2211 -- Sunset Laws -- Investment advisory council, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 8, Ch. 37.

Rep. Kernell moved that **House Bill No. 2211** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2620 -- Sunset Laws -- Nashville and Eastern railroad authority, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 2.

Rep. Kernell moved that **House Bill No. 2620** be passed on third and final consideration.

Rep. Kernell requested that **House Bill No. 2620** be moved to the heel of the Calendar.

***House Bill No. 1868** -- Mortgages -- Defines and prioritizes open end mortgages, revolving credit mortgages and mortgages securing future advances. Amends TCA, Title 47, Ch. 28.

On motion, House Bill No. 1868 was made to conform with Senate Bill No. 2149; the Senate Bill was substituted for the House Bill.

Rep. Rigsby moved that Senate Bill No. 2149 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Rigsby moved that Senate Bill No. 2149 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Chumney, West -- 2.

A motion to reconsider was tabled.

House Bill No. 1916 -- Education -- Provides for regional family resource center conferences each year. Amends TCA, Title 49.

Rep. DeBerry moved that House Bill No. 1916 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis,

Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

House Bill No. 2009 -- Local Education Agency -- Authorizes local boards of education to promulgate and adopt rules and regulations prohibiting secondary school students from wearing clothing or accessories which denote membership in or affiliation with any gang associated with criminal activities while on school property. Amends TCA, Title 49, Ch. 6.

On motion, House Bill No. 2009 was made to conform with **Senate Bill No. 1748**; the Senate Bill was substituted for the House Bill.

Rep. DeBerry moved that **Senate Bill No. 1748** be passed on third and final consideration.

Rep. Callicott moved to adopt Amendment No. 1 as follows:

Amendment No.1

Amend Senate Bill No. 1748 by deleting the words and punctuation ", including that" after the word "accessory", which was added by Senate Amendment No. 1.

Rep. DeBerry requested that Senate Bill No. 1748 be moved to the heel of the Calendar.

House Bill No. 2283 -- Holidays -- Establishes fourth Monday in September as "American Indian Day," day of special observance. Amends TCA, Title 15.

Rep. Ritchie moved that **House Bill No. 2283** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey,

Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2284 -- Race Relations -- Requires employers and school systems and other entities to classify native Americans as such rather than non-white, non-black or other. Amends TCA, Title 4, Ch. 34; Title 11, Ch. 6.

Rep. Ritchie moved that House Bill No. 2284 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2284 by deleting Section 1 and by substituting instead the following:

Notwithstanding any provision of law to the contrary, a state or local governmental entity requiring or requesting a person to divulge racial or ethnic origin on an employment form, education application, or other such document shall contain a space, box, or blank clearly designated "Native American Indian". This act may not be construed to require a governmental entity to revise the forms in the manner required by this act before exhausting its supply of forms on hand on the effective date of this act.

On motion, Amendment No. 1 was adopted.

Rep. Ritchie moved that **House Bill No. 2284**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson,

Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

***House Bill No. 1897 -- Custody and Support --** Authorizes appointment of referees in domestic relations cases in Knox County, in addition to Moore and Davidson counties. Amends TCA 36-5-402.

Rep. Ritchie requested that House Bill No. 1897 be moved to the heel of the Calendar.

House Bill No. 2036 -- Capital Punishment -- Allows news media at executions. Amends TCA 40-23-116.

Rep. Ritchie moved that House Bill No. 2036 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2036 by deleting the second, third and fourth sentences of subdivision (6) of the amendatory language of SECTION 1.

On motion, Amendment No. 1 was adopted.

Rep. Fisher moved the previous question, which motion failed by the following vote:

Ayes.	63
Noes.	30
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Boyer, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Halteman Harwell, Hassell, Haun, Hillis, Huskey, Jackson, Johnson, Joyce, Kent, Lewis, Love, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Ramsey,

Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, West, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 63.

Representatives voting no were: Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Chumney, DeBerry, Duer, Gunnels, Haley, Head, Herron, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Liles, McAfee, McDaniel, McKee, Owenby, Pruitt, Thompson, Turner (Hamilton), Turner (Shelby), Westmoreland, Williams (Shelby), Wix -- 30.

Representatives present and not voting were: Givens, Purcell -- 2.

Rep. Ritchie moved that **House Bill No. 2036**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	88
Noes.	6
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Armstrong, Brooks, McAfee, Pruitt, Turner (Hamilton), Turner (Shelby) -- 6.

Representatives present and not voting were: DeBerry, Head, Jones R (Shelby), Knight, Wix -- 5.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE **February 28, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 340; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 0340 -- Memorials, Recognition and

Thanks -- William Waller Henry, Senate Commerce, Labor and Agriculture Committee. by *Koella, *et al.

REGULAR CALENDAR, CONTINUED

House Bill No. 1737 -- Bonding, Surety and Professional -- Includes certain surety bonds as eligible collateral equal to 100 percent of value of state deposit secured by it. Amends TCA, Title 9, Ch. 4.

On motion, House Bill No. 1737 was made to conform with Senate Bill No. 1782; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 1782 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Rhinehart moved that Senate Bill No. 1782 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: West -- 1.

A motion to reconsider was tabled.

House Bill No. 2317 -- Insurance, Credit Life -- Permits issuance of more than one policy or group certificate for credit disability insurance on loans with more than one borrower. Amends TCA 45-5-305.

On motion, House Bill No. 2317 was made to conform with Senate

Bill No. 1949; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 1949** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Brooks, West -- 2.

A motion to reconsider was tabled.

House Bill No. 2318 -- Insurance Companies, Agents, Brokers -- Permits sale of involuntary unemployment credit insurance by holder of limited insurance representative license without examination. Amends TCA 56-6-138.

On motion, House Bill No. 2318 was made to conform with **Senate Bill No. 1950**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 1950** be passed on third and final consideration.

Rep. Rhinehart requested that **Senate Bill No. 1950** be moved down 3 places on the Calendar.

House Bill No. 2081 -- Liens -- Modifies notice to owner from contractor to include reference to TCA 66-11-146 so owner knows only contractor has lien on residential real property which is principal residence of owner. Amends TCA 66-11-203.

On motion, House Bill No. 2081 was made to conform with **Senate Bill No. 1791**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that **Senate Bill No. 1791** be passed on third and

final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on Senate Bill No. 1791 and have this statement entered in the Journal: Rep(s). Napier.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1377 -- Liens --** Makes failure to release a lien within 30 days of request subject to a strict liability penalty. Amends TCA, Title 66, Ch. 25.

Rep. Fisher moved that House Bill No. 1377 be passed on third and final consideration.

Rep. Fisher requested that House Bill No. 1377 be moved to the heel of the Calendar.

House Bill No. 1920 -- County Officers -- Expands scope of grandfather clause in constable training law to exclude from requirements any constable holding office on July 1, 1993. Amends TCA, Title 8, Ch. 10.

Rep. Fisher moved that House Bill No. 1920 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	86
Noes.	10
Present and not voting.	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Allen, Anderson, Chiles, Halteman Harwell, Head, Stamps, West, Westmoreland, Winningham, Wix -- 10.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from aye to no on House Bill No. 1920 and have this statement entered in the Journal: Rep(s). Bittle and Peroulas Draper.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 1950 -- Insurance Companies, Agents, Brokers --** Permits sale of involuntary unemployment credit insurance by holder of limited insurance representative license without examination. Amends TCA 56-6-138.

Further consideration of Senate Bill No. 1950, previously considered on today's Calendar.

Rep. Rhinehart moved that **Senate Bill No. 1950** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole

(Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 2001 -- Utilities, Utility Districts -- Provides for promulgation of rules by commissioners of Sunbright Utility District for terms of office, vacancies and election by customers. Amends TCA, Title 7, Ch. 82.

Rep. Windle moved that House Bill No. 2001 be reset to the Calendar for Thursday, March 3, 1994, which motion prevailed.

House Joint Resolution No. 0465 -- Memorials, Recognition and Thanks -- Dr. Cavit C. Cheshier.

Further consideration of House Joint Resolution No. 465, previously considered on February 24, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for February 28, 1994.

On motion of Rep. Odom, with the request that all members voting aye be added as sponsors, **House Joint Resolution No. 465** was adopted by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2620 -- Sunset Laws -- Nashville and Eastern railroad authority, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 2.

Further consideration of House Bill No. 2620, previously considered on today's Calendar.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2620 be deleting Section 2 in its entirety.

On motion, Amendment No. 1 was adopted.

Rep. Kernell moved that **House Bill No. 2620**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***Senate Bill No. 1748** -- Local Education Agency -- Authorizes local boards of education to promulgate and adopt rules and regulations prohibiting secondary school students from wearing clothing or accessories which denote membership in or affiliation with any gang associated with criminal activities while on school property. Amends TCA, Title 49, Ch. 6.

Further consideration of Senate Bill No. 1748, previously

considered on today's Calendar.

Rep. Callicott moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Westmoreland moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. DeBerry moved that **Senate Bill No. 1748** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1897 -- Custody and Support --** Authorizes appointment of referees in domestic relations cases in Knox County, in addition to Moore and Davidson counties. Amends TCA 36-5-402.

Further consideration of House Bill No. 1897, previously considered on today's Calendar.

Rep. Ritchie moved that House Bill No. 1897 be passed on third and final consideration.

Rep. Ritchie moved to adopt Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1897 by deleting from Section 1 the language "three hundred thirty-five thousand (300,500) nor more than three hundred thirty-six thousand (336,000) according to the 1990 federal census or any subsequent census," and by substituting instead the language "three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six

thousand (336,000), according to the 1990 federal census or any subsequent federal census,".

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply to any sitting referee in counties having a population of not less than three hundred thirty-five thousand (335,000) nor more than three hundred thirty-six thousand (336,000), according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. Ritchie moved that **House Bill No. 1897**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Riggsby, Rinks, Ritchie, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Bittle, Peroulas Draper, Severance -- 3.

A motion to reconsider was tabled.

***House Bill No. 1377 -- Liens --** Makes failure to release a lien within 30 days of request subject to a strict liability penalty. Amends TCA, Title 66, Ch. 25.

Further consideration of House Bill No. 1377, previously considered on today's Calendar.

Rep. Fisher moved that House Bill No. 1377 be passed on third

and final consideration.

Rep. Fisher moved to adopt Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1377 by adding as a new Section 2 the following and by renumbering existing Section 2 accordingly:

Section 2. Tennessee Code Annotated, Section 66-25-102, is amended:

(1) by deleting from subsection (a) the language "thirty (30) days" and by substituting instead the language "forty-five (45) days"; and

(2) by deleting from subsection (b) the words "aforestated thirty-day period" and by substituting instead the words "aforestated forty-five day period".

AND FURTHER AMEND by deleting from Section 2 of the printed bill the date "July 1, 1993" and by substituting instead the date "July 1, 1994".

On motion, Amendment No. 1 was adopted.

Rep. Fisher moved that **House Bill No. 1377**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 188: Rep(s). Hillis as prime sponsor(s).

House Bill No. 816: Rep(s). Duer as prime sponsor(s).

House Bill No. 1247: Rep(s). Bell as prime sponsor(s).

House Bill No. 1413: Rep(s). DeBerry as prime sponsor(s).

House Bill No. 1463: Rep(s). Brooks and Miller as prime sponsor(s).

House Bill No. 1683: Rep(s). Naifeh, Rhinehart and Severance as prime sponsor(s).

House Bill No. 1880: Rep(s). Peroulas Draper as prime sponsor(s).

House Bill No. 1916: Rep(s). Thompson, Purcell, Turner (Hamilton) and Love as prime sponsor(s).

House Bill No. 1920: Rep(s). Stockburger as prime sponsor(s).

House Bill No. 2009: Rep(s). Thompson and Turner (Hamilton) as prime sponsor(s).

House Bill No. 2036: Rep(s). Boyer as prime sponsor(s).

House Bill No. 2144: Rep(s). McKee as prime sponsor(s).

House Bill No. 2231: Rep(s). Love as prime sponsor(s).

House Bill No. 2283: Rep(s). Hargrove as prime sponsor(s).

House Bill No. 2388: Rep(s). Arriola as prime sponsor(s).

House Bill No. 2730: Rep(s). Clark as prime sponsor(s).

House Bill No. 2759: Rep(s). Arriola, Bragg, Brown, Collier, Cross, Davidson, Givens. Head, Hillis, Jackson, Johnson, Jones U, Knight, Lewis, Miller. Mires, Owenby, Phelan, Pinion, Rinks, Ritchie, Stulce, Tindell. Turner (Hamilton), West and Winningham as prime sponsor(s).

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1796, 2646, 2663, 2836, 2838 and 2839; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1724, 1788, 1803, 1808, 1835, 1864, 1867, 1884, 1905, 1917, 1919, 1928, 1929, 2374, 2399 and 2542; also, Senate Joint Resolution(s) No(s). 310, 311, 312, 315 and 323; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 440, 1949, 1976 and 2489; also, House Joint Resolution(s) No(s). 445, 446, 447, 464 and 467; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1623, 1710, 1803 and 2349; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

February 28, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1680, 1681, 1832, 1841, 1987, 2015, 2028, 2423, 2474, 2570, 2624, 2668, 2672, 2743, 2809 and 2814; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 1680 -- Courts, Juvenile -- Removes appeals to circuit court from juvenile court in cases of termination of parental rights; removes criminal court acceptance hearing when

juvenile court transfers juvenile to criminal court for trial as adult. Amends TCA 37-1-159. by *Person.

***Senate Bill No. 1681 -- Courts, Juvenile --** Provides that once juvenile is transferred to criminal court for trial as adult, juvenile court loses jurisdiction over juvenile as to all pending or subsequent delinquent acts or criminal charges against juvenile. Amends TCA 37-1-134. by *Person.

***Senate Bill No. 1832 -- Historical Commission --** Establishes Tennessee Wars Commission. by *Henry, *McKnight.

***Senate Bill No. 1987 -- Recycling --** Requires attorneys submitting court documents with courts of record to utilize recycled paper for documents. Amends TCA, Title 20, Ch. 6, Pt. 1. by *Greer, *Crowe.

***Senate Bill No. 2015 -- Taxes, Sales --** Exempts from sales taxes used clothing sold by nonprofit, charitable institutions. Amends TCA, Title 67, Ch. 6, Pt. 3. by *McNally, *Crowe.

***Senate Bill No. 2028 -- Taxes, Sales --** Exempts from sales and use tax, parts, service and labor for medical transport helicopters. Amends TCA, Title 67, Ch. 6, Pt. 3. by *Holcomb, *Crowe.

***Senate Bill No. 2423 -- Public Records --** Permits CD ROM disks to be used for maintaining governmental records, provided certain standards are met. Amends TCA, Title 10, Ch. 7, Pt. 1. by *Leatherwood.

***Senate Bill No. 2474 -- Architects and Engineers --** Revises exemptions and requirements for public works projects and persons practicing as architects, engineers and landscape architects. Amends Chapter 132, Section 2, Public Acts of 1993. Amends TCA 62-2-103, 107. by *Rochelle, *Crowe, *Person.

Senate Bill No. 2570 -- General Assembly -- Extends select oversight committee on corrections for four years; authorizes performance evaluation of committee by comptroller. Amends TCA 3-15-109. by *Kyle, *Rochelle, *Crowe, *Wright, *Harper.

***Senate Bill No. 2624 -- Civil Service --** Permits civil service vacancies in the career service normally filled by permanent employees through competitive process to be filled by temporary staffing service company for maximum of 90 days, upon approval of commissioner. Amends TCA 8-30-315. by *Womack.

***Senate Bill No. 2668 -- General Assembly --** Makes bills severable unless bill contains a reverse severability clause. Amends TCA, Title 3, Ch. 2. by *Rochelle.

Senate Bill No. 2672 -- Parks, Natural Areas Preservation -- Designates Short Springs in Coffee County as a Class 1 Scenic Recreational Area. Amends TCA 11-14-108. by *Burks.

***Senate Bill No. 2743 -- Criminal Offenses --** Expands scope of introduction or possession of contraband into penal institution to include public or private facility. Amends TCA, Title 39, Ch. 16, Pt. 2. by *Kyle.

Senate Bill No. 2809 -- Mental Health and Mental Retardation, Dept. of -- Allows superintendent to oversee, maintain or transfer patient's records to any accurate recording medium that assures preservation; authorizes patient's records to be disclosed as necessary to assure care by least drastic means is suitable to person's liberty and interests. Amends TCA 33-3-104. by *Crutchfield.

Senate Bill No. 2814 -- Civil Service -- Adds surviving spouse of veteran who died in military service to eligibility list for preference points on career service examinations. Amends TCA 8-30-306. by *Womack, *Crutchfield, *McKnight.

ENGROSSED BILLS
February 28, 1994

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1377, 1773, 1897, 1916, 1920, 1939, 1946, 1950, 1987, 2036, 2120, 2130, 2191, 2211, 2238, 2283, 2284, 2337, 2514, 2620, 2843, 2845 and 2847; also, House Joint Resolution(s) No(s). 465, 473 and 475.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR
February 28, 1994

The following local bills have been placed on the Consent Calendar for Monday March 7, 1994: House Bills Nos. 2855 and 2853.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance,

MONDAY, FEBRUARY 28, 1994 -- SIXTY-EIGHTH LEGISLATIVE DAY

Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 2, 1994.